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FISCAL IMPACT STATEMENT

LS 7099

BILL NUMBER: SB 532

NOTE PREPARED: Jan 29, 2009

BILL AMENDED: Jan 29, 2009

SUBJECT: Coroners Review Board

FIRST AUTHOR: Sen. Merritt

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill establishes fees to obtain additional copies of death certificates.

The bill also establishes the Coroner Review Board to review a coroner's determination of a cause of death upon the petition of a family member of the deceased. It allows the Review Board to order a coroner to revise a certificate of death if the Review Board determines that the coroner made an incorrect determination as to the cause of a death.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Summary:* The Indiana State Department of Health would be required to provide training and pay the expenses of the Coroner Review Board. The expenses of the Coroner Review Board would depend on the number of reviews that may be required to be conducted. The nature and extent of the training required is unknown, and the associated expense is indeterminate.

Background Information:

(Revised) *Coroner Review Board:* The bill establishes the seven-member Coroner Review Board within the ISDH. The Board is to consist of the Commissioner of Health or a designee, who serves as the chairperson, four coroners, one citizen with specified relevant professional experience, and a physician certified in forensic pathology, all to be appointed by the Governor. The Review Board is to meet at the call of the chairperson. The ISDH is required by the bill to provide staff, training, and administrative support to the Review Board. Any family member of a deceased person who disputes a coroner's determination of a cause

of death may petition the Review Board to review a case. The Review Board may require a person with information relevant to the case to provide testimony. The bill would give the Review Board access to records concerning the deceased from a coroner, a law enforcement agency, and a hospital, a physician, or a mental health professional. The bill specifies procedures for confidentiality during a Review Board investigation. The bill does not give the Review Board rule-making authority. The bill specifies that the expenses of the Review Board are to be paid from funds appropriated to the ISDH. The expenses of the Board would depend on the number of reviews that may be required to be conducted and the amount of investigation required by a review. The nature and extent of the training required is unknown, and the associated expense is indeterminate.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues: (Revised) The bill adds a fee to be assessed for the issuance of additional copies of a death certificate as follows: the first copy is \$1, a second additional copy is \$2, a third copy is \$3, and a fourth copy is \$4. Each additional copy after the fourth copy is \$4. Most of the local health departments charge for copies of death certificates. The charges range from \$0 to \$15 for copies; a large number of the counties charge the same amount for a copy as for the first certified copy. If an individual required four additional copies of a death certificate, the fee for the copies would add \$10 to the Coroner's Training and Continuing Education Fund. There are no data collected to determine the total number of copies of death certificates produced by the local health departments. The revenue impact of this fee increase is indeterminate.

Background Information: Currently, if a local health department makes a charge for a certificate of death, a \$1.75 Coroner's Continuing Education Fee must be added to the established rate. (Prior to July 1, 2007, the fee was \$1.00.) The collected fees are transferred semiannually to the Treasurer of State for distribution to the nonreverting Coroner's Training and Continuing Education Fund. The fund received total revenue of \$318,825 in FY 2007, \$505,549 in FY 2008, and had received \$331,162 as of January 16, 2009.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Coroners Training Board; ISDH; CJI.

Local Agencies Affected: Local health departments and county coroners.

Information Sources: Local Health Departments Vital Records Fees at: <http://www.in.gov/isdh/20422.htm> Auditor's Data, *Revenue Trial Balance* as of January 16, 2009, *Indiana Handbook of Taxes, Revenues, and Appropriations*, Indiana Legislative Services Agency, FY 2008.

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